

Hinchey Stresses Urgency of Passing His FRAC Act Legislation to Protect Water Resources & Urges DRBC Cumulative Water Impact Study for Gas Drilling

■ **Narrowsburg, NY** - Congressman Maurice Hinchey (D-NY) today joined representatives from local environmental groups and the National Park Service to announce and highlight the designation of the Upper Delaware as "America's Most Endangered River" for 2010. The designation, announced by the national organization American Rivers, comes as energy companies are lining up to use the controversial hydraulic fracturing process to begin extracting natural gas from the Marcellus Shale in the Upper Delaware River Basin. Hinchey is leading the effort in Congress to restore common-sense federal environmental protections for hydraulic fracturing to prevent water contamination from natural gas drilling. "The Upper Delaware River is one of America's most beautiful and historic rivers, and it is used by millions of people for fishing, recreation, drinking water and other uses" said Hinchey. "As energy companies prepare to start drilling for natural gas in the Upper Delaware, American Rivers has rightfully recognized the potential impacts that large scale drilling could have on the incredible water resources of the basin." Hinchey continued, "There are currently no federal requirements forcing gas drillers to disclose the chemicals they inject into the ground. There are also no regulations that allow the U.S. Environmental Protection Agency to regulate gas drilling's impact on drinking water supplies. These facts demonstrate the vital need to pass the FRAC Act, which I introduced in Congress, and show the urgency for the Delaware River Basin Commission to conduct a cumulative water impact study on fracking in the basin. We've already seen what happens when energy companies are not properly regulated. In the midst of one of the largest environmental disasters in our nation's history, as millions of gallons of oil continue to spew into the Gulf of Mexico, the need for action to protect the Upper Delaware River could not be clearer." Hinchey today sent a letter to Speaker of the House Nancy Pelosi, formally urging her to bring his Fracking Responsibility and Awareness of Chemicals (FRAC) Act up for a vote. The congressman authored that legislation to close a loophole created in the Energy Policy Act of 2005, which he voted against, that exempted hydraulic fracturing from the federal Safe Drinking Water Act (SDWA). The FRAC Act would restore SDWA protections and also require the oil and gas industry to disclose the chemicals they use in their hydraulic fracturing processes. Currently, the oil and gas industry is the only industry exempt from the SDWA. In April 2010, Hinchey called on the Delaware River Basin Commission (DRBC) to conduct an environmental impact study on the cumulative effects of natural gas extraction water withdrawals rather than consider only the impact from individual drilling sites on a case by case basis. The study, Hinchey argued, should occur before the commission considers any individual water withdrawal applications. Hinchey has also recently conveyed to the DRBC his concerns regarding the need for regulation by the DRBC for exploratory wells in the basin, which the DRBC is not currently regulating. In March, the U.S. Environmental Protection Agency (EPA) announced the commencement of the Hinchey Study - a comprehensive investigation into the potential adverse impact that hydraulic fracturing may have on water quality and public health. Hinchey authored the provision in Congress that led to the EPA's decision to conduct the study after questions were raised regarding the safety of the natural gas drilling process. The entire Upper Delaware

River basin is located over the Marcellus Shale. In order to access the reserves of natural gas in the shale, multinational energy corporations have acquired drilling rights to large tracts of land throughout the watershed. Two companies alone, Chesapeake Appalachia and Statoil, have a stated goal of developing 13,500 to 17,000 gas wells in the region in next twenty years. Drilling companies will need millions of gallons of water in order to hydraulically fracture gas wells to stimulate the release of natural gas. The drilling companies will combine the water with a host of chemicals, including some toxic ones such as benzene and toluene. The gas drilling companies are required to get permits from the DRBC for these water withdrawals from the basin, which can require from three to five million gallons per well drilled. In 1978, Congress designated roughly 73 miles of the Upper Delaware River between Hancock, NY and Mill Rift, PA as the Upper Delaware Scenic and Recreational River, a unit of the National Park System. The river is a popular destination for sightseeing, boating, camping, hunting, fishing, hiking, and bird watching. Additionally, several endangered, at-risk, or rare species live in the river and along its banks. The Upper Delaware is also classified and protected by the DRBC as "Special Protection Waters," recognized for its exceptionally high scenic, recreational ecological and water supply values. American Rivers is the leading national organization standing up for healthy rivers so communities can thrive. American Rivers protects and restores America's rivers for the benefit of people and wildlife. Founded in 1973, American Rivers has more than 65,000 members and supporters, with offices in Washington, DC and nationwide.